

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Implementation of Section 304 of the)	CS Docket No. 97-80
Telecommunications Act of 1996)	
)	
Commercial Availability of Navigation Devices)	
)	
Compatibility Between Cable Systems and)	PP Docket No. <u>00-67</u>
Consumer Electronics Equipment)	
)	
Digital Broadcast Content Protection)	MB Docket No 02-230
)	

ORDER

Adopted: February 2, 2004

Released: February 3, 2004

By the Chief, Media Bureau:

1 On October 9, 2003, the Commission released a *Second Report and Order and Second Further Notice of Proposed Rulemaking* ("Digital Cable Compatibility Order and FNPRM"),¹ to which various parties have filed petitions for reconsideration.² Oppositions to these petitions for reconsideration are due on February 9, 2004.³

2 On November 4, 2003, the Commission released a *Report and Order and Further Notice of Proposed Rulemaking* ("Broadcast Flag Order and FNPRM"),⁴ to which various parties have filed petitions for reconsideration.⁵ Oppositions to these petitions for reconsideration are also due on

¹ *Implementation of Section 304 of the Telecommunications Act of 1996, Commercial Availability of Navigation Devices and Compatibility Between Cable Systems and Consumer Electronics Equipment*, CS Docket No. 97-80 and PP Docket No. 00-67, *Second Report and Order and Second Further Notice of Proposed Rulemaking* (rel. Nov. 4, 2003).

² See Joint Petition for Reconsideration of Broadcast Music, Inc. and the American Society of Composers, Authors and Publishers (filed Dec. 24, 2003), Petition for Reconsideration of DIRECTV, Inc. (filed Dec. 29, 2003), Petition for Reconsideration of Genesis Microchip, Inc. (filed Dec. 29, 2003), Petition for Reconsideration of the Motion Picture Association of America, Inc. (filed Dec. 29, 2003), Petition for Reconsideration or Clarification of the National Cable & Telecommunications Association (filed Dec. 29, 2003), and Joint Petition for Reconsideration of the National Music Publishers' Association, the American Society of Composers, Authors and Publishers, the Songwriters Guild of America and Broadcast Music, Inc. (filed Dec. 29, 2003).

³ See 47 C.F.R. § 1.429(f), 69 Fed. Reg. 3361 (2004).

⁴ *Digital Broadcast Content Protection*, MB Docket No. 02-230, *Report and Order and Further Notice of Proposed Rulemaking* (rel. Nov. 4, 2003).

⁵ See Petition for Reconsideration of Genesis Microchip, Inc. (filed Jan. 2, 2004), Petition for Reconsideration and Clarification of the Motion Picture Association of America, Inc. (filed Jan. 2, 2004), Petition for Reconsideration or Clarification of the National Cable & Telecommunications Association (filed Jan. 2, 2004), and Joint Petition for Reconsideration of the National Music Publishers' Association, the American Society of Composers, Authors and Publishers, the Songwriters Guild of America and Broadcast Music, Inc. (filed Dec. 31, 2003).

February 9, 2004⁶

3 On January 30, 2004, Public Knowledge and Consumers Union ("PK & CU") filed motions to extend the deadlines for filing oppositions to the petitions for reconsideration in these proceedings to March 10, 2004. Specifically, PK & CU request an extension of time in order to allow them to fully analyze the complex technical and policy questions involved in both the petitions for reconsideration as well as the *Further Notice of Proposed Rulemaking* pending in each proceeding.⁷

4 It is not Commission policy to routinely grant extensions of time.⁸ However, to allow parties to submit oppositions and replies that will result in a more fully-developed record, the Media Bureau will grant a waiver of the Commission's rule regarding petitions for reconsideration in the form of a limited extension of the deadline for filing oppositions in both proceedings to March 10, 2004.⁹ Replies to the oppositions will be due within 10 days after the time for filing oppositions have expired.¹⁰

5 **IT IS ORDERED** that, pursuant to Sections 4(i), 4(j) and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j) and 155(c), and Sections 0.61, 0.283, 1.3, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.61, 0.283, 1.3, and 1.46, the deadlines for filing comments and replies in the above-captioned proceedings **ARE EXTENDED** to the extent described herein.

FEDERAL COMMUNICATIONS COMMISSION

W. Kenneth Ferree
Chief, Media Bureau

⁶ See 69 Fed. Reg. 3361 (2004).

⁷ *Implementation of Section 304 of the Telecommunications Act of 1996, Commercial Availability of Navigation Devices and Compatibility Between Cable Systems and Consumer Electronics Equipment*, CS Docket No. 97-80 and PP Docket No. 00-67, Request for Extension of Time to File Oppositions (filed Jan. 30, 2004), *Digital Broadcast Copy Protection*, MB Docket No. 02-230, Request for Extension of Time to File Oppositions (filed Jan. 30, 2004).

⁸ See 47 C.F.R. § 1.46(a).

⁹ See 47 C.F.R. §§ 1.3, 1.429(f).

¹⁰ *Id.* § 1.429(g).